

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DARYLL HALL,

Plaintiff,

v.

CASE NO. 05-73681
HON. LAWRENCE P. ZATKOFF

DETROIT FORMING INC.,

Defendant.

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIM

Plaintiff filed his Complaint on September 26, 2005. Plaintiff's Complaint contains the following two counts:

Count I Discrimination under Title VII; and

Count II Discrimination under the Elliott-Larsen Civil Rights Act

See Complaint.

The Court has subject matter jurisdiction over Count I, because it arises under federal law. *See* 28 U.S.C. § 1331. Count II, however, is based upon state law. Although the Court has supplemental jurisdiction over state law claims pursuant to 28 U.S.C. § 1367(a), the Court may decline to exercise supplemental jurisdiction if there are "compelling reasons for declining jurisdiction." *See* 28 U.S.C. § 1367(c)(4). The Court declines to exercise supplemental jurisdiction over Plaintiff's state law claim in this matter. The Court finds that the contemporaneous presentation of Plaintiff's parallel state claim for relief will result in the undue confusion of the jury. *See* 28 U.S.C. § 1367(c)(4); *see also Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994).

Accordingly, IT IS ORDERED that Plaintiff's state law claim based on the Elliott-Larsen Civil Rights Act (Count II) is hereby DISMISSED without prejudice. The Court retains jurisdiction over Plaintiff's federal claim (Count I).

IT IS SO ORDERED.

Date: October 14, 2005

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

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